

# Notice of Allowability

Application No.

10/751,025

Examiner

Lester L. Vanterpool

Applicant(s)

JEONG, DAE SEOK

Art Unit

3782

## - The MAILING DATE of this communication appears on the cover sheet with the correspondence address-

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to November 14, 2006.
2. ☒ The allowed claim(s) is/are 1-3 and 5-7.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance:

Claim 1 is deemed to be directed to a non-obvious improvement over the invention patented number Heideman (U.S. Patent Number 4616771).

The prior art of record discloses the cross rail configured to be installed in the substantially lateral direction on the roof panel of the vehicle; the side rail configured to be installed in the substantially longitudinal direction on the roof panel of the vehicle, the side rail comprising the upper surface and first and second lateral side surfaces, the lateral side surfaces comprising first and second guide grooves, respectively; and the mounting member slidably engaging the cross rail to the side rail, the mounting member comprising the inner mounting member comprising side surfaces, the engaging part configured to engage the cross rail; the outer mounting member comprising the side surface and the upper portion supported by the upper surface of the side rail.

However, prior art of record does not disclose the mounting member comprising the inner mounting member comprising the side surface supported by the first lateral side surface of the side rail, including the first guide groove, the upper portion supported by the upper surface of the side rail and the locking means for preventing movement of the cross rail with respect to the side rail; and the outer mounting member comprising the side surface supported by the second lateral side surface of the side rail, including

the second guide groove; wherein the upper portions of the mounting members are engaged with each other by the engaging means.

The primary reason for allowance of claim 1 is: the cross rail configured to be installed in the substantially lateral direction on the roof panel of the vehicle; the side rail configured to be installed in the substantially longitudinal direction on the roof panel of the vehicle, the side rail comprising the upper surface and first and second lateral side surfaces, the lateral side surfaces comprising first and second guide grooves, respectively; and the mounting member slidably engaging the cross rail to the side rail, the mounting member comprising: the inner mounting member comprising the side surface supported by the first lateral side surface of the side rail, including the first guide groove, the upper portion supported by the upper surface of the side rail, the engaging part configured to engage the cross rail, the locking means for preventing movement of the cross rail with respect to the side rail; and the outer mounting member comprising the side surface supported by the second lateral side surface of the side rail, including the second guide groove, and the upper portion supported by the upper surface of the side rail; wherein the upper portions of the mounting members are engaged with each other by the engaging means.

Therefore, the vehicle roof rack assembly in combination with the limitations of the cross rail, the side rail, the inner mounting member, the locking means, the outer mounting member and the upper portions with engaging means in claim 1 defines over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lester L. Vanterpool whose telephone number is 571-272-8028. The examiner can normally be reached on Monday - Friday (8:30 - 5:00) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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NATHAN J. NEWHOUSE  
SUPERVISORY PATENT EXAMINER